

ORIGINAL
CARLSMITH BALL LLP

DAVID LEDGER
JOSEPH C. RAZZANO
Bank of Hawaii Bldg., Suite 401
134 West Soledad Avenue, P.O. Box BF
Hagåtña, Guam 96932-5027
Tel No. 671.472.6813

Attorneys for Plaintiff and Counterclaim-Defendant
Hanson Permanente Cement of Guam

FILED
DISTRICT COURT OF GUAM

SEP 9 2005 *MP*

MARY L.M. MORAN
CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

HANSON PERMANENTE
CEMENT OF GUAM,

Plaintiff,

vs.

KRAFTPAK, LIMITED and
BRUCE ANSLEY, personally,

Defendants.

CIVIL CASE NO. 04-00042

**COUNTERCLAIM DEFENDANT'S
AMENDED ANSWER TO
KRAFTPAK, LIMITED'S
COUNTERCLAIM**

KRAFTPAK, LIMITED,

Counterclaim-Plaintiff,

vs.

HANSON PERMANENTE
CEMENT OF GUAM,

Counterclaim-Defendant.

COUNTERCLAIM DEFENDANT'S AMENDED ANSWER TO
KRAFTPAK, LIMITED'S COUNTERCLAIM

Counterclaim Defendant Hanson Permanente Cement of Guam ("Hanson"), by and through its attorneys Carlsmith Ball LLP, answers Kraftpak, Limited's ("Kraftpak") Counterclaim as follows:

1. Hanson admits the allegations contained in paragraphs 1 and 2.
2. Hanson denies the allegations contained in paragraphs 3, 4, 6, 7, 9, 10 and 11.
3. With respect to incorporation paragraphs 5 and 8 of the Counterclaim, Hanson reincorporates its prior responses to the paragraphs referred to herein.
4. In the event there is any allegation in the Complaint which Hanson failed to address above, then all such allegations are denied.

DEFENSES

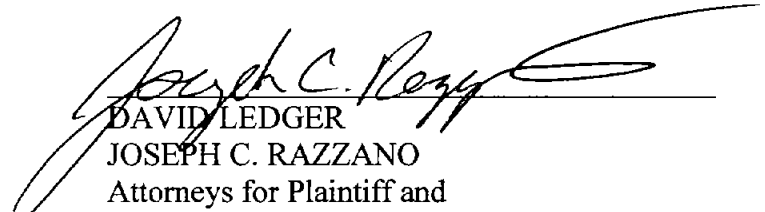
1. The cause of action fails to state a claim upon which relief can be granted.
2. The Counterclaim is barred in whole or in part by accord and satisfaction, estoppel, breach of contract, release, payment, waiver, discharge, laches and unclean hands.
3. The Counterclaim is barred in whole or in part by the applicable statute of limitations, statute of repose, or other limitation on the bringing of suits.

WHEREFORE Counterclaim Defendant Hanson requests relief against Counterclaim Plaintiff Kraftpak be denied.

Hanson, as the Counterclaim Defendant in the Counterclaim, also prays that Kraftpak take nothing by its Counterclaim and that Judgment on Plaintiff's Complaint be entered in favor of Hanson and against Kraftpak as well as costs, reasonable attorneys fees and other relief deemed appropriate by the Court.

DATED: Hagåtña, Guam, August 22nd, 2005.

CARLSMITH BALL LLP


DAVID LEDGER
JOSEPH C. RAZZANO
Attorneys for Plaintiff and
Counterclaim-Defendant
Hanson Permanente Cement of Guam